

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling**

DIANA MEY and **PHILIP CHARVAT**,
individually and on behalf of a class of
all persons and entities similarly situated,

Plaintiffs,

v.

Civil Action No. 5:18-CV-123
Judge Bailey

CHARTER COMMUNICATIONS, INC.,
and **JOHN DOE 1**,

Defendants.

ORDER

Pending before this Court is Defendant Charter Communications, Inc.'s Motion to Dismiss First Amended Complaint [Doc. 40]. Based upon the factual development as set forth in the memoranda in this case, it appears to the Court that discovery on the issue of jurisdiction is in order.


Accordingly, this Court will hold the above Motion in abeyance for a period of ninety days or until April 15, 2019, to allow the plaintiffs to conduct such discovery. The plaintiffs may file a revised opposition to the motion to dismiss on or before May 1, 2019.

To be clear, under the scheduling order entered on November 27, 2018 [Doc. 34], all discovery may take place during this period.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

DATED: January 15, 2019.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE